

PROB 12C
(4/19)

United States District Court
for
District of New Jersey

***Amended Petition for Warrant or Summons for Offender under Supervision**

Name of Offender: Myckel Saintpierre

Docket Number: 19-00509-001

PACTS Number: 5695543

Name of Sentencing Judicial Officer: THE HONORABLE BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 10/28/2019

Original Offense: Misappropriation of Postal Funds, 18 U.S.C. § 1711, a Class C Felony

Original Sentence: 60 months' probation

Special Conditions: Financial Disclosure, New Debt Restrictions, a \$100 Special Assessment, a \$2,000 Fine, and \$18,996.65 in Restitution

Type of Supervision: Probation

Date Supervision Commenced: 10/28/2019

Assistant U.S. Attorney: Jihee Suh, 970 Broad Street, 7th Floor, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Carol Dominguez, Federal Defenders Office, 1002 Broad Street, Newark, New Jersey 07102, (973) 645-6347

PETITIONING THE COURT

- ☐ To issue a warrant
- ☒ To issue a summons – Violation Hearing date scheduled for December 17, 2021 at 10:30 am.

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--|
| 1 | <p>The offender has violated the standard supervision condition which states 'After initially reporting to the U.S. Probation Office, you will receive instructions from the Court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.'</p> <p>On August 24, 2021, the undersigned attempted to reach Saintpierre by texting and calling him. He failed to return the call or text.</p> <p>On August 30, 2021, the undersigned attempted to reach Saintpierre by texting and calling him. He failed to return the call or text.</p> |

On September 10, 2021, the undersigned texted Saintpierre and instructed him to report to the Newark Office on September 17, 2021 between 9:00 am and 4:00 pm.

On September 17, 2021, Mr. Saintpierre failed to report to the office, as instructed.

On September 17, 2021, a letter was sent to Saintpierre via regular and certified mail instructing him to report to the office on October 1, 2021, between 9:00 am and 4:00 pm. He failed to report.

On September 22, 2021, the undersigned attempted to make contact with Saintpierre at his residence. Upon arrival, the undersigned called and texted him. However, received no response. The undersigned also left a note instructing him to contact her. To date, he failed to do so.

On September 30, 2021, the undersigned attempted to make contact with Saintpierre at his residence. Upon arrival, the undersigned called and texted him. However, received no response. The undersigned also left a note instructing him to contact her. To date, he failed to do so.

On October 1, 2021, Saintpierre failed to report to the office, as instructed.

On October 13, 2021, the undersigned contacted Saintpierre's stepmother who advised he was not home at the time of the visit. She was provided with the undersigned's business card and requested that she ask Mr. Saintpierre to contact this officer by close of business on October 15, 2021.

Since the undersigned had no contact from Mr. Saintpierre since the contact on July 25, 2021, a warrant was requested and issued.

- 2 The offender has violated the mandatory supervision condition which states '**You must make restitution in accordance with 18 U.S.C. §§ 2248, 2259, 2264, 2327, 3663, 3663A, and 3664.**'

Saintpierre was ordered to pay monthly installments of no less than \$250 towards his restitution. To date, he has paid \$2,950.

- 3 The offender has violated the mandatory supervision condition which states '**If your judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of your judgment.**'

Mr. Saintpierre was ordered to pay a fine in the amount of \$2,000 in full within 30 days of sentencing. To date, he has not made any payments towards his fine.

- *4 The individual under supervision has violated the special supervision condition which states '**You must submit to the Location Monitoring Program as noted below until your violation hearing scheduled for December 17, 2021:**

You must submit to location monitoring as a condition of your release until your revocation hearing at a date to be set. You must submit to Home Detention and comply with the program requirements as directed by the

U.S. Probation Office. You will be restricted to your residence at all times except for employment, education, religious services, medical, substance abuse and mental health treatment, court-ordered obligations, and any other such times specifically authorized by the U.S. Probation Office. You must wear an electronic monitoring device (radio frequency transmitter) and follow all location monitoring procedures as directed by the U.S. Probation Office. The cost of the monitoring is waived.

On December 11, 2021, Saintpierre did not have any scheduled leave approved for the day. The U.S. Probation Office received any Unauthorized Leave Alert at 1:54 pm and an Unauthorized Enter Alert at 4:41 pm. He had another Unauthorized Leave Alert at 4:45 pm and an Unauthorized Enter Alert at 7:20 pm. He had another Unauthorized Leave Alert at 7:49 pm and an Unauthorized Enter Alert at 11:38 pm.

- *5 The individual under supervision has violated the special supervision condition which states '**You are prohibited from incurring any new credit charges, opening additional lines of credit, or incurring any new monetary loan, obligation, or debt, by whatever name known, without the approval of the U.S. Probation Office. You must not encumber or liquidate interest in any assets unless it is in direct service of the fine and/or restitution obligation or otherwise has the expressed approval of the Court.'**

On January 21, 2021, an Equifax inquiry was conducted. The final report revealed that Saintpierre opened three new credit cards since the start of his probation.

- *6 The individual under supervision has violated the standard supervision condition which states '**You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the Court or the probation officer.'**

On January 12, 2021, the U.S. Probation Office received notification that Saintpierre had been in contact with the United States Customs and Border Protection. Upon contacting Saintpierre, he advised he had traveled to Haiti to visit with his ill mother without permission from the U.S. Probation Office.

- *7 The individual under supervision has violated the standard supervision condition which states '**After initially reporting to the U.S. Probation Office, you will receive instructions from the Court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.'**

Saintpierre has failed to submit his monthly reports from February of 2020 to the present date.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

SUSAN M. SMALLEY, Chief
U.S. Probation Officer

Michelle A. Siedzik

By: MICHELLE A SIEDZIK
U.S. Probation Officer

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APPROVED:

Suzanne Golda-Martinez 12/14/2021
SUZANNE GOLDA-MARTINEZ Date
Supervising U.S. Probation Officer

THE COURT ORDERS:

- ☐ The Issuance of a Warrant 10:30 AM
☒ The Issuance of a Summons. Date of Hearing: 12/17/21 @ (as recommended by the Probation Office)
☐ No Action
☐ Other



Signature of Judicial Officer

December 14, 2021
Date